

Classification: OFFICIAL

**CH/2018/0265/FA**

Case Officer: Emma Showan  
 Date Received: 14.02.2018 Decide by Date: 23.04.2018  
 Parish: Great Missenden Ward: Great Missenden  
 App Type: Full Application  
 Proposal: Roof extension to existing building and attached two storey building to create 9 new bedrooms, new kitchen, extension to the dining room and store  
 Location: The Nags Head Public House  
 London Road  
 Little Kingshill  
 Buckinghamshire  
 HP16 0DG  
 Applicant: Mr A Michaels

**SITE CONSTRAINTS**

Article 4 Direction  
 Adjacent to C Road  
 Area of Special Control of Advertisements  
 Adjacent Listed Buildings  
 Within Chilterns AONB  
 Biodiversity Opportunity Areas  
 Critical Drainage Area  
 Within Green Belt other than GB4 GB5  
 Listed Building  
 Within 500m of Site of Importance for Nature Conservation  
 Thames Groundwater Protection Zone GC9

**CALL IN**

Councillor Gladwin has requested that this application be determined by the Planning Committee if the Officer's recommendation is for refusal.

**SITE LOCATION**

The application site is located on a corner plot to the south-west of London Road and to the north-west of Nags Head Lane, which is situated to the south of Great Missenden. The site consists of the public house, beer garden and parking area.

The site is within the open Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB). It is also adjacent to the Conservation Area, which is situated to the north-east of the site. The public house itself is a Grade II Listed building.

**THE APPLICATION**

The application seeks planning permission to extend the existing public house to the south-west to provide an additional 9 bedrooms, extended kitchen and dining room. The proposed extension measures approximately 13.8 metres wide by 11.6 metres deep. It is proposed to extend the ridge of the existing building by approximately 1.8 metres and then drop down by 1.5 metres to the remainder of the extension

Classification: OFFICIAL

which has a ridge height of 7 metres and an eaves height of 4.5 metres. This element of the extension will be at a lower ground level than the existing building.

A roof gable is proposed on the western (rear) elevation incorporating two pitched roof dormer windows and a gable roof incorporating a further two pitched roof dormers is also proposed on the southern side elevation, facing Nags Head Lane. The proposed materials are brick and clay tiles to match the existing.

It is also proposed to use the existing access as the entrance to the site and to create a new access onto Nags Head Lane as an exit. The car parking area will be extended to the south-west of the building to include an additional 20 spaces. New planting is also proposed to the rear of the site.

It is also noted that this application follows on from a previous refusal for a similar scheme (CH/2017/0914/FA). While the proposed floor layouts and footprint will remain as previously proposed, the external elevations have been amended to reduce the bulk of the proposal. In this instance, the ridge height has been reduced from 7.6 metres to 7 metres, with the eaves being reduced from 5 metres to 4.5 metres. The elevations of the extension have also been altered so that the extension incorporates pitched roof dormers as opposed to a full first storey. The access and parking arrangements have remained as previously proposed.

The applicant has submitted a Statement of Significance & Heritage Impact Assessment and a Design & Access Statement.

#### **RELEVANT PLANNING HISTORY**

CH/2017/0914/FA - Erection of a building to create 9 new bedrooms, new kitchen, extension to dining room and store. Refused permission for the following reasons:

- The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such the proposal constitutes inappropriate development in the Green Belt. Given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt
- The proposal will create a much more dominant building within the landscape, combined with a large expanse of hardstanding and a new access requiring signage or dragon's teeth and, so the development would fail to conserve or enhance the rural character of the area or high landscape quality of the AONB
- The proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits

CH/2017/0915/HB - Internal and external alterations with the erection of a building to create 9 new bedrooms, new kitchen, extension to the dining room and store. Refused permission as the proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits

CH/2008/0311/FA - New car park and vehicular access onto Nags Head Lane, refused permission.

CH/2001/1283/HB - First floor rear extension including new external stair (amendment to Listed Building Consent CH/1999/1841/HB), conditional consent.

CH/2001/1282/FA - First floor rear extension including new external stair (amendment to planning permission CH/1999/1840/FA) for use of whole first floor to provide seven rooms for bed and breakfast accommodation, conditional permission.

Classification: OFFICIAL

CH/1999/1841/HB - First floor rear extension, conditional consent.

CH/1999/1840/FA - First floor rear extension, conditional permission.

CH/1980/0287/FA - Erection of single storey rear and side extension, conditional permission.

#### **PARISH COUNCIL**

None received at time of drafting report.

#### **REPRESENTATIONS**

One letter of support has been received from Great Missenden Lawn Tennis Club, which is located adjacent to the site. The Club wishes to support the application on the basis that they feel there is a need for more overnight accommodation in the area and the new parking layout seems a safer solution than what is there at present.

#### **CONSULTATIONS**

Buckinghamshire County Highways Officer: No comments received at time of writing report. However, it is noted that the scheme for parking and access has not been amended from application CH/2017/0914/FA and therefore the Highways Officer comments in regards to this application are of relevance. These comments are summarised below:

"Initially objected to the proposal due to the intensification of an access where visibility is substandard. No objection to the amended plans, which propose a new access onto Nags Head Lane, provided a one-way system through the site can be enforced. Concern over the width of the access road through the site at certain points as it will be shared by pedestrians and vehicular traffic."

Building Control Officer: The work will need to comply with Part M (Access and use of buildings) of the Building Regulations. This will require access for someone in a wheelchair from disabled parking via a suitable ramp or level approach to the new entrance door into the extended bedroom block. Additionally at least one of the new bedrooms and en-suite shower should be compliant for someone in a wheelchair. The other facilities should be accessible for persons with ambulant disabilities, including the stairs."

District Tree Officer: "The application proposes an extension with a similar footprint to the previous refused application CH/2017/0914/FA and also proposes a similar parking arrangement to the revised plans for that application.

The application does not include the Arboricultural and Planning Integration Report previously submitted but it does include the revised Tree Protection Plan for the refused application. However this plan and the Site Plan for the current application show different tree retention proposals.

Two old apple trees in poor condition would be lost for the proposed extension and both plans show their removal. However the Tree Protection Plan shows the additional loss of another nearby fruit tree and a small ash on the boundary, neither of which are considered to be important.

The application proposes an additional parking area, which would require the loss of a hawthorn for the proposed exit drive. However there is a difference in ground levels of about 0.5m between the existing beer garden and Nags Head Lane and it is not clear how the proposal would deal with this. However the Tree Protection Plan shows the additional loss of a hazel, an apple tree and a cherry tree beside the car park and a small beech beside the exit. These are all fairly small trees up to about 10m in height of limited importance.

Classification: OFFICIAL

The Site Plan also shows some indicative additional tree and hedge planting separating the proposed additional parking area from the field beyond.

I have no objections to the application provided there is adequate protection for the retained trees."

Historic Buildings Officer: Comments are repeated as follows:

"Description of the site and surroundings;

The Nag's Head is a grade II listed seventeenth, eighteenth and nineteenth century building that was originally two cottages. It is prominently sited on the corner of London Road and Nags Head Lane. Located just outside Great Missenden, it is surrounded by open countryside, apart from the tennis club to the west. It has a large rear garden laid mainly to grass and its setting is considered to be a rural public house. The left hand cottage fronting London Road has a hipped roof and is a taller building with a high eaves and ridge line while the right hand cottage has a gabled roof with much lower eaves and ridge. The building is red brick with clay tiles. Timber framing is visible internally in the rear cross wing and on the gable end of the right hand cottage. The rear wing, probably 19th century, is considerably taller than the front building, having a hipped roof and is constructed of large flint panels with brick dressings, and has a cat slide roof dropping down over a single storey addition to the north which is visible from the London Road when approaching from Great Missenden.

Attached to the west of this is a more modern pitched roofed large extension incorporating the kitchen on the ground floor and bedrooms above. This most recent extension; constructed at the beginning of this century under CH/2000/1471/FA and CH/2001/1283/HB unfortunately has a detrimental impact on the special interest of the listed building. The scale and bulk and design of this of this extension dominates and detracts from the rear elevation. The flint wing has a span of five metres but the extension has a span nearer to six metres and is 1.5 metres longer with an external fire escape on the rear elevation. The side cat slide roof facing Nags Head Lane projects beyond the side elevation of the frontage building and has two bulky dormer windows. The link between the two hipped gables on the rear elevation has a flat roof higher than the adjoining eaves but the approved plans show a pitched roof here and this flat roof has a further detrimental impact.

The proposal and relevant planning history;

The extension of the Nag's Head has been the subject of two pre-application submissions and a formal planning and Listed Building Consent application which were refused last year (CH/2017/0915/HB and CH/2017/0914/FA). Initially it was proposed to build an extension directly onto the historic fabric of the rear of the building (CH/2016/40021/IQL). The potential harm to the historic fabric and loss of significance due to the covering up of the rear was highlighted in response, as was the scale of the proposed extension. A further pre-application submission was made (CH/2016/40109/IQM) in response to the comments from the earlier application. The subsequent proposal was a plan only, no elevations were provided; these proposals responded to earlier comments in that the extension was attached to the modern rear extension. However, the issue of scale was not addressed, as this extension proposed a further eight bedrooms and double the size of the historic building. The applicants were again encouraged to reduce the size of the extension to make it clearly subordinate. The applicants were also encouraged to simplify the design so as not to detract from the listed building.

The previous refused proposal was identical to the current application in floor plan but the eaves were higher enabling windows beneath the eaves rather than the dormers currently proposed. Also, extension roofs were all hipped rather than half hipped and the elevation fronting Nags Head Lane proposed two hipped roofs with a central valley rather than the currently proposed fully hipped roof with a central flat and lantern light. This design proposed nine large bedrooms plus a dining room and kitchen extension and store rooms which is one more bedroom than the previous proposal and two more than currently exist within the Nag's Head, although the existing bedrooms are significantly smaller than those now proposed. The extension is a large

square block extending out towards Nag's Head Lane so that it would also be visible from the London Road and will be viewed in the context of the street frontage of the listed building.

The current application proposes a lower the ridge and eaves level to the application previously refused, but otherwise the application is identical in plan; the issue of scale and the impact on the listed building has not been addressed.

The proposed extension still extends the existing large rear extension (with the same ridge and eaves level) by two metres; making it more than three metres longer than the historic buildings at the rear.

The extensions have not addressed the unauthorised flat roof on the rear elevation.

The proposed extension is 12 metres long and 14 metres wide; around double the size of the historic building. The spans on the extension are around six metres but the original buildings have spans of 5 metres or less; adding to the bulk of the extensions and not assisting with subservience.

The ridge height of the main part of the extension has been reduced from 7.6 metres to 7 metres, with the eaves being reduced from 5 metres to 4.5 metres compared with the previously refused application; but this has not reduced the bulk of the building significantly and has necessitated the introduction of half a hipped roof and dormer windows which add clutter and are not a feature of the original building. The roof design has also had to be amended from the former double pile roof with two hipped roofs facing Nags Head Lane (which would have provided restricted head height on the first floor); to a crown roof; again not a traditional form for small scaled vernacular buildings.

The reduction in ridge and eaves level has been achieved by a reduction in ground level; the proposed overall height of the structure has not changed significantly.

The issue of scale and bulk has not been sufficiently dealt with. This is a very substantial extension which, in addition to the existing large extension will swamp the original historic buildings. The proposed extension would be bulky and detract from views along the side the listed building from the London Road, and coming north towards the listed building from the south along Nags Head Lane, the extension would dominate and block views of the listed building.

The proposed new access and new extensive area of parking in the rear garden would cause harm the open rural setting of the listed building.

In general terms, extensions to listed buildings need to be modest in scale and clearly subordinate so as not to harm the designated asset. Extensions which have narrow spans and follow the form of the original buildings but in a more subordinate scale are more likely to be acceptable. The Nag's Head is significant as two former cottages with surviving timber framing in a rural setting that has been used for many years as a public house. The fact that they are small scale cottages needs to be taken into account when developing any proposal. The current applications still propose extensions which are more than double the size of the historic buildings; the large, bulky, non-traditional in form - having a fully hipped square roof with a central flat, and is not considered to be subordinate and the scale, massing, bulk and design would be harmful to the listed building and its rural setting.

A small extension to the existing unsympathetic modern extension rear to enable improvements to be made to its appearance is likely to be acceptable, but the proposed substantial extension which would swamp the historic buildings is not considered acceptable. Historic maps show there was a small narrow outbuilding located against the western boundary with the tennis courts; some additional letting rooms could perhaps located here which followed that scale and form and which would have less impact on the listed buildings.

Relevant legislation, policies and guidance;

The Council has had special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses, as required under Section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Furthermore, the application has been considered on the basis of the Chiltern District Council adopted Local Plan (consolidated Nov 2011) LB 1, LB 2

NPPF - Core planning principles, Part 7 paras. 58, 60, 61, and Part 12 Conserving and Enhancing the Historic Environment paras 126, 129, 131, 132, 133; paragraph 133 is copied below;

"Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use."

Historic England Guidance; Setting of Heritage Assets 2011, Managing Significance in Decision-Taking in the Historic Environment- 2015, and Making Changes to Heritage Assets- 2016."

Conclusion:

It is considered that the proposed extension would cause 'substantial harm' to the significance of the designated heritage asset and its rural setting, and no public benefit to balance that harm has been identified; contrary to paragraphs 133 of the NPPF and policies LB1 and LB 2 of the Local Plan and the 1990 Act. I would support refusal of this application on these grounds."

## **POLICIES**

National Planning Policy Framework (NPPF), 2012.

Core Strategy for Chiltern District - Adopted November 2011: Policies CS4, CS19, CS20, CS22, CS25, CS26 and CS29.

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011. Saved Policies: GC1, GC3, LSQ1, GB2, LB1, LB2, CA2, TR2, TR3, TR11 and TR16.

## **EVALUATION**

### **Principle of development**

1. The site is located within the open Green Belt where most development is inappropriate and there is a general presumption against such development. Chapter 9 of the NPPF emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

2. Paragraph 89 of the NPPF outlines some exceptions to this, including the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original

building. This is supported by Local Plan Policy GB2. The original building has previously been extended under planning permission CH/2001/1282/FA and Listed Building Consent CH/2001/1283/HB. Accordingly, the existing building, including the permitted extension, has an external floor area of 358.6 square metres.

3. This application follows on from planning application CH/2017/0914/FA for a similar proposal which was refused for the following reasons:

- The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such the proposal constitutes inappropriate development in the Green Belt. Given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt

- The proposal would create a much more dominant building within the landscape, combined with a large expanse of hardstanding and a new access requiring signage or dragon's teeth, so the development would fail to conserve or enhance the rural character of the area or high landscape quality of the AONB

- The proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits

4. The application proposes floor layouts and a footprint in accordance with that which was previously proposed although the external elevations have been amended to reduce the bulk of the proposal. As such, this application will assess the impact of the proposed changes and whether these are sufficient to overcome the previous reasons for refusal, as listed above.

5. As the proposed extension has not changed in its dimensions from the previous scheme, it will measure approximately 43.7 square metres and will still double the size of the original building, increasing it by approximately 113%. It is accepted that the ridge height has been reduced from 7.6 metres to 7 metres, with the eaves height being reduced from 5 metres to 4.5 metres. This has reduced the bulk and volume of the building and it has improved the appearance of the proposed extension so that it does appear more subordinate to the original part of the public house. However, the proposal would still more than double the size of the original building, increasing the footprint by approximately 113%, which is considered to be a disproportionate addition over and above the size of the original building, contrary to the provisions of the NPPF and Local Plan Policy GB2.

6. The essential characteristics of Green Belts are their openness and their permanence, and one of the purposes of including land within the Green Belt is to assist in safeguarding the countryside from encroachment. Openness can be defined as the absence of development and therefore, the erection of a large extension which more than doubles the size of the original building, and the creation of a larger car park on land which is currently free from development, would not preserve the openness of the Green Belt. The proposal would therefore constitute inappropriate development.

7. Specifically, Paragraph 87 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Paragraph 88 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8. The applicant has put forward a supporting statement outlining their case for very special circumstances. This can be summarised as:

- The public house requires a degree of development to make it financially viable and as a new kitchen is required, it is unlikely that the premises will be able to function while the scheme is being constructed

- Support for tourism and the effect on Listed buildings can constitute very special circumstances.

9. The above is noted, however it remains that the proposal currently constitutes inappropriate development in the Green Belt. The following sections in the report will identify if any other harm exists, before a balanced judgement is made as to whether any very special circumstances exist to outweigh the harm to the Green Belt and any other identified harm.

### **Design/character & appearance**

10. The application site is in a relatively remote location which has a distinctly rural character. It is surrounded on three sides by fields and is within the Chilterns AONB and adjacent to the Great Missenden Conservation Area.

11. In accordance with Paragraph 115 of the NPPF, great weight should be given to conserving the landscape and scenic beauty of the AONB, which has the highest status of protection in relation to landscape and scenic beauty. Policy LSQ1 of the Local Plan states that the scale, size, siting and design of the development as well as the external materials to be used, shall be considered in assessing whether the development is appropriate within the AONB, and policy CS22 of the Core Strategy seeks to safeguard views in and out of the area.

12. The previously refused scheme was considered acceptable in terms of its impact on the Conservation Area, however objections were raised in regards to the dominance of the building within the landscape and the detrimental impact of the expanse of hardstanding proposed and the new access requiring signage or dragon's teeth which were all considered to be contrary to the rural nature of the locality.

13. In an attempt to overcome these concerns, the amended plans propose a reduced ridge height across the extension and a re-imagined design whereby the first floor is set within the eaves with first floor head space being provided by pitched roof dormers. This has had a positive impact in reducing the visual impact of the proposal. However, despite the positive design changes, it remains that the proposal more than doubles the depth of the building and so it would fail to conserve the high scenic landscape value of the AONB or the rural character of the area. Alongside this, the creation of a larger car park would result in the loss of grass and amenity space which would further detract from the open and rural nature of the locality and the unspoilt beauty of the AONB.

14. The creation of a second access onto Nags Head Lane was previously rejected in that the loss of hedging along this road and laying of hardstanding would puncture the landscape and increase the visibility of the car park, to the detriment of the open and rural character of the area. This application continues to propose a second access in this location, and therefore the requirement for additional signage and/or dragon's teeth at the exit of the second entrance, and so the same concerns remain extant. It is also noted that an application for a new car park and access onto Nags Head Lane was refused on this site in April 2008 (CH/2008/0311/FA) due to the adverse impact it would have on the openness of the Green Belt, the natural beauty of the AONB and the setting of the Listed Building. With no changes to the site circumstances since the previous refusals, the objections to the impact of the proposal on the character of the area remain.

### **Impact on the Listed Building**

15. The Historic Buildings Officer previously objected to the proposal on the grounds that the scale of the proposed extension would overwhelm the historic building and that this harm would not be outweighed by public benefits. Although it is accepted that the proposal has been reduced in height and the design amended to better integrate with the original building, the proposed extension would retain the same footprint and remain large. The Historic Buildings Officer continues to recommend refusal on the grounds of the extension being overly large and therefore causing substantial harm to the Listed Building. Furthermore, given the large area of car parking proposed, this would have a detrimental impact on the setting of the Listed Building, contrary to Local Plan Policy LB2.



### **Residential amenity**

16. The proposed development is located at a sufficient distance from neighbouring properties and so it remains that it would not adversely affect any residential amenities.

### **Parking/Highway implications**

17. The proposed parking and access arrangements remain as proposed under application CH/2017/0914/FA. No highway objections were previously raised and so no new objections are raised now.

### **Trees and landscaping**

18. The proposal would require the loss of various trees and a hawthorn, but the District Tree Officer has accepted that these are all fairly small trees being of limited importance. As such, there are no objections to the application, provided there is adequate protection for the retained trees.

### **Very special circumstances**

19. The applicant has put forward a case for very special circumstances outlining that the public house requires a degree of development to make it financially viable and as a new kitchen is required, it is unlikely that the premises will be able to function while the scheme is being constructed. In addition, it is acknowledged that support for tourism and the effect on listed buildings can be considered to be very special circumstances and it is put forward that 'the proposed design and use of materials of the building will be perceived as a subservient extension to the host building set within the context of the both the Listed building and the tennis club buildings.'

20. Although these points are acknowledged, no evidence has been submitted to substantiate these points and demonstrate that the proposed extension is required to maintain the viability of the existing public house and that there is a need for additional tourist accommodation in the area. Alongside this, the Historic Buildings Officer maintains that the extension is overly large to the detriment of the Listed Building with the hardstanding too having a negative impact on the building's setting. The onus is on the applicant to demonstrate that very special circumstances exist and, in this case, it has not been shown that circumstances exist which are sufficient to outweigh the harm to the Green Belt and other harm identified in this case, the harm to the landscape value of the AONB, the rural character of the area and the harm to the Listed building. The proposal therefore fails to overcome the previous reasons for refusal and remains contrary to the provisions of the NPPF and The Chiltern District Local Plan.

### **Working with the applicant**

21. In accordance with paragraphs 186 and 187 of the NPPF Chiltern District Council take a positive and proactive approach to development proposals focused on solutions. Chiltern District Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case, the proposal did not accord with the Development Plan, and no material considerations were apparent to outweigh these matters. It was not considered that any changes during the course of the application would have reasonably overcome these issues, so the application was recommended for refusal on the basis of the submitted plans.

### **Human rights**

22. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

**RECOMMENDATION: Refuse permission**

For the following reasons:-

1 The site is within the open Green Belt where most development is inappropriate and there is a general presumption against such development. The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such, the development does not fall into any of the categories listed in Policy GB2 of the Local Plan and paragraphs 89 and 90 of the National Planning Policy Framework. It therefore constitutes inappropriate development in the Green Belt. Furthermore, given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt. No very special circumstances have been demonstrated which clearly outweigh the harm to the Green Belt. As such, the proposal is contrary to Policy GB2 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and the provisions of the National Planning Policy Framework.

2 The proposed development consists of a substantial extension which almost doubles the size of the existing building, a large expanse of hardstanding on land which is currently grass, and a new access onto Nags Head Lane which would require road signs or dragon's teeth to enforce a one way system. The proposal will create a much more dominant building within the landscape and a development which fails to conserve or enhance the rural character of the area or high landscape quality of the AONB. As such, the proposal is contrary to Policies GC1 and LSQ1 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, Policies CS20 and CS22 of the Core Strategy for Chiltern District (Adopted November 2011) and the provisions of the National Planning Policy Framework.

3 The proposed extension would be harmful to the significance of the listed building as former cottages because of the proposed scale and therefore what is proposed is not considered to be the optimum viable use. It is clearly the most profitable use and the benefits of this will be largely private benefits. Paragraph 126 of the National Planning Policy Framework states that Local Planning Authorities should take account of "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation." This proposal is not consistent with the conservation of the listed building due to the impact of the scale of what is proposed, the historic building would be overwhelmed by the addition and the harm that this would cause is not outweighed by additional public benefits. The additional hardstanding for the new parking area and the consequent reduction of garden would also harm the setting of the listed building. The less than substantial harm identified is not outweighed by public benefit or securing the building's optimum viable use and the application is therefore contrary to Policies LB1 and LB2 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and the provisions of the National Planning Policy Framework.

## **CH/2018/0266/HB**

Case Officer: Emma Showan  
Date Received: 14.02.2018 Decide by Date: 23.04.2018  
Parish: Great Missenden Ward: Great Missenden  
App Type: Listed Building Consent  
Proposal: Roof extension to existing building and attached two storey building to create 9 new bedrooms, new kitchen, extension to the dining room and store  
Location: The Nags Head Public House  
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Little Kingshill  
Buckinghamshire  
HP16 0DG  
Applicant: Mr A Michaels

### **SITE CONSTRAINTS**

Article 4 Direction  
Adjacent to C Road  
Area of Special Control of Advertisements  
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Within Chilterns AONB  
Biodiversity Opportunity Areas  
Critical Drainage Area  
Within Green Belt other than GB4 GB5  
Listed Building  
Within 500m of Site of Importance for Nature Conservation NC1  
Thames Groundwater Protection Zone GC9

### **CALL IN**

Councillor Gladwin has requested that this application be determined by the Planning Committee if the Officer's recommendation is for refusal.

### **SITE LOCATION**

The application site is located on a corner plot to the south-west of London Road and to the north-west of Nags Head Lane, which is situated to the south of Great Missenden. The site consists of the public house, beer garden and parking area.

The site is within the open Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB). It is also adjacent to the Conservation Area, which is situated to the north-east of the site. The public house itself is a Grade II Listed building.

### **THE APPLICATION**

The application seeks planning permission to extend the existing public house to the south-west to provide an additional 9 bedrooms, extended kitchen and dining room. The proposed extension measure approximately 13.8 metres wide by 11.6 metres deep. It is proposed to extend the ridge of the existing building by approximately 1.8 metres and then drop down by 1.5 metres to the remainder of the extension

which has a ridge height of 7 metres and an eaves height of 4.5 metres. This element of the extension will be at a lower ground level than the existing building.

A roof gable is proposed on the western (rear) elevation incorporating two pitched roof dormer windows and a gable roof incorporating a further two pitched roof dormers is also proposed on the southern side elevation, facing Nags Head Lane. The proposed materials are brick and clay tiles to match the existing.

It is also proposed to use the existing access as the entrance to the site and to create a new access onto Nags Head Lane as an exit. The car parking area will be extended to the south-west of the building to include an additional 20 spaces. New planting is also proposed to the rear of the site.

It is also noted that this application follows on from a previous refusal for a similar scheme (CH/2017/0914/FA). While the proposed floor layouts and footprint will remain as previously proposed, the external elevations have been amended to reduce the bulk of the proposal. In this instance, the ridge height has been reduced from 7.6 metres to 7 metres, with the eaves being reduced from 5 metres to 4.5 metres. The elevations of the extension have also been altered so that extension incorporates pitched roof dormers as opposed to a full first storey. Meanwhile, the access and parking arrangements have remained as previously proposed.

#### **RELEVANT PLANNING HISTORY**

CH/2017/0914/FA - Erection of a building to create 9 new bedrooms, new kitchen, extension to dining room and store. Refused permission for the following reasons:

- The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such the proposal constitutes inappropriate development in the Green Belt. Given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt
- The proposal will create a much more dominant building within the landscape, combined with a large expanse of hardstanding and a new access requiring signage or dragon's teeth and, so the development would fail to conserve or enhance the rural character of the area or high landscape quality of the AONB
- The proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits

CH/2017/0915/HB - Internal and external alterations with the erection of a building to create 9 new bedrooms, new kitchen, extension to the dining room and store. Refused permission as the proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits

CH/2008/0311/FA - New car park and vehicular access onto Nags Head Lane, refused permission.

CH/2001/1283/HB - First floor rear extension including new external stair (amendment to Listed Building Consent CH/1999/1841/HB), conditional consent.

CH/2001/1282/FA - First floor rear extension including new external stair (amendment to planning permission CH/1999/1840/FA) for use of whole first floor to provide seven rooms for bed and breakfast accommodation, conditional permission.

CH/1999/1841/HB - First floor rear extension, conditional consent.

CH/1999/1840/FA - First floor rear extension, conditional permission.

CH/1980/0287/FA - Erection of single storey rear and side extension, conditional permission.

## PARISH COUNCIL

None received at time of drafting report.

## REPRESENTATIONS

One letter of support has been received from Great Missenden Lawn Tennis Club, which is located adjacent to the site. The Club wishes to support the application on the basis that they feel there is a need for more overnight accommodation in the area and the new parking layout seems a safer solution than what is there at present.

## CONSULTATIONS

Historic Buildings Officer: Comments are repeated as follows:

"Description of the site and surroundings;

The Nag's Head is a grade II listed seventeenth, eighteenth and nineteenth century building that was originally two cottages. It is prominently sited on the corner of London Road and Nags Head Lane. Located just outside Great Missenden, it is surrounded by open countryside, apart from the tennis club to the west. It has a large rear garden laid mainly to grass and its setting is considered to be a rural public house. The left hand cottage fronting London Road has a hipped roof and is a taller building with a high eaves and ridge line while the right hand cottage has a gabled roof with much lower eaves and ridge. The building is red brick with clay tiles. Timber framing is visible internally in the rear cross wing and on the gable end of the right hand cottage. The rear wing, probably 19th century, is considerably taller than the front building, having a hipped roof and is constructed of large flint panels with brick dressings, and has a cat slide roof dropping down over a single storey addition to the north which is visible from the London Road when approaching from Great Missenden.

Attached to the west of this is a more modern pitched roofed large extension incorporating the kitchen on the ground floor and bedrooms above. This most recent extension; constructed at the beginning of this century under CH/2000/1471/FA and CH/2001/1283/HB unfortunately has a detrimental impact on the special interest of the listed building. The scale and bulk and design of this of this extension dominates and detracts from the rear elevation. The flint wing has a span of five metres but the extension has a span nearer to six metres and is 1.5 metres longer with an external fire escape on the rear elevation. The side cat slide roof facing Nags Head Lane projects beyond the side elevation of the frontage building and has two bulky dormer windows. The link between the two hipped gables on the rear elevation has a flat roof higher than the adjoining eaves but the approved plans show a pitched roof here and this flat roof has a further detrimental impact.

The proposal and relevant planning history;

The extension of the Nag's Head has been the subject of two pre-application submissions and a formal planning and LBC application which were refused last year (CH/2017/0915/HB and CH/2017/0914/FA). Initially it was proposed to build an extension directly onto the historic fabric of the rear of the building (CH/2016/40021/IQL). The potential harm to the historic fabric and loss of significance due to the covering up of the rear was highlighted in response, as was the scale of the proposed extension. A further pre-application submission was made (CH/2016/40109/IQM) in response to the comments from the earlier application. The subsequent proposal was a plan only, no elevations were provided; these proposals responded to earlier comments in that the extension was attached to the modern rear extension. However, the issue of scale was not addressed, as this extension proposed a further eight bedrooms and double the size of the historic building. The applicants were again encouraged to reduce the size of the extension to make it clearly

subordinate. The applicants were also encouraged to simplify the design so as not to detract from the listed building.

The previous refused proposal was identical to the current application in floor plan but the eaves were higher enabling windows beneath the eaves rather than the dormers currently proposed. Also, extension roofs were all hipped rather than half hipped and the elevation fronting Nags Head Lane proposed two hipped roofs with a central valley rather than the currently proposed fully hipped roof with a central flat and lantern light. This design proposed nine large bedrooms plus a dining room and kitchen extension and store rooms which is one more bedroom than the previous proposal and two more than currently exist within the Nag's Head, although the existing bedrooms are significantly smaller than those now proposed. The extension is a large square block extending out towards Nag's Head Lane so that it would also be visible from the London Road and will be viewed in the context of the street frontage of the listed building.

The current application proposes a lower the ridge and eaves level to the application previously refused, but otherwise the application is identical in plan; the issue of scale and the impact on the listed building has not been addressed.

The proposed extension still extends the existing large rear extension (with the same ridge and eaves level) by two metres; making it more than three metres longer than the historic buildings at the rear.

The extensions have not addressed the unauthorised flat roof on the rear elevation.

The proposed extension is 12 metres long and 14 metres wide; around double the size of the historic building.

The spans on the extension are around six metres but the original buildings have spans of 5 metres or less; adding to the bulk of the extensions and not assisting with subservience.

The ridge height of the main part of the extension has been reduced from 7.6 metres to 7 metres, with the eaves being reduced from 5 metres to 4.5 metres compared with the previously refused application; but this has not reduced the bulk of the building significantly and has necessitated the introduction of half a hipped roof and dormer windows which add clutter and are not a feature of the original building. The roof design has also had to be amended from the former double pile roof with two hipped roofs facing Nags Head Lane (which would have provided restricted head height on the first floor); to a crown roof; again not a traditional form for small scaled vernacular buildings.

The reduction in ridge and eaves level has been achieved by a reduction in ground level; the proposed overall height of the structure has not changed significantly.

The issue of scale and bulk has not been sufficiently dealt with. This is a very substantial extension which, in addition to the existing large extension will swamp the original historic buildings. The proposed extension would be bulky and detract from views along the side the listed building from the London Road, and coming north towards the listed building from the south along Nags Head Lane, the extension would dominate and block views of the listed building.

The proposed new access and new extensive area of parking in the rear garden would cause harm the open rural setting of the listed building.

In general terms, extensions to listed buildings need to be modest in scale and clearly subordinate so as not to harm the designated asset. Extensions which have narrow spans and follow the form of the original buildings but in a more subordinate scale are more likely to be acceptable. The Nag's Head is significant as

two former cottages with surviving timber framing in a rural setting that has been used for many years as a public house. The fact that they are small scale cottages needs to be taken into account when developing any proposal. The current applications still propose extensions which are more than double the size of the historic buildings; the large, bulky, non-traditional in form- having a fully hipped square roof with a central flat, and is not considered to be subordinate and the scale, massing, bulk and design would be harmful to the listed building and its rural setting.

A small extension to the existing unsympathetic modern extension rear to enable improvements to be made to its appearance is likely to be acceptable, but the proposed substantial extension which would swamp the historic buildings is not considered acceptable. Historic maps show there was a small narrow outbuilding located against the western boundary with the tennis courts; some additional letting rooms could perhaps located here which followed that scale and form and which would have less impact on the listed buildings.

Relevant legislation, policies and guidance;

The Council has had special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses, as required under Section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Furthermore, the application has been considered on the basis of the Chiltern District Council adopted Local Plan (consolidated Nov 2011) LB 1, LB 2

NPPF - Core planning principles, Part 7 paras. 58, 60, 61, and Part 12 Conserving and Enhancing the Historic Environment paras 126, 129, 131, 132, 133; paragraph 133 is copied below;

"Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use."

Historic England Guidance; Setting of Heritage Assets 2011, Managing Significance in Decision-Taking in the Historic Environment- 2015, and Making Changes to Heritage Assets- 2016

Conclusion:

It is considered that the proposed extension would cause 'substantial harm' to the significance of the designated heritage asset and its rural setting, and no public benefit to balance that harm has been identified; contrary to paragraphs 133 of the NPPF and policies LB1 and LB 2 of the Local Plan and the 1990 Act. I would support refusal of this application on these grounds."

## **POLICIES**

National Planning Policy Framework.

Core Strategy for Chiltern District - Adopted November 2011: Policies None.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies: LB1.

## **EVALUATION**

1. The application site comprises a Grade II listed building. In this instance the only issue for consideration is whether the proposal would unduly affect the architectural or historic character of the listed building. The District Historic Buildings Officer considers that any harm caused by the proposal would not be outweighed by the benefit and therefore, on this basis, the application fails to meet the relevant criteria of policy LB1 and the provisions of the NPPF, and it is recommended that Listed Building Consent should not be granted.

## **Human Rights**

2. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

## **RECOMMENDATION: Refuse consent**

For the following reasons:-

1 The proposed extension would be harmful to the significance of the listed building as former cottages because of the proposed scale and therefore what is proposed is not considered to be the optimum viable use. It is clearly the most profitable use and the benefits of this will be largely private benefits. Paragraph 126 of the National Planning Policy Framework states that Local Planning Authorities should take account of "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation." This proposal is not consistent with the conservation of the listed building due to the impact of the scale of what is proposed, the historic building would be overwhelmed by the addition and the harm that this would cause is not outweighed by additional public benefits. The additional hardstanding for the new parking area and the consequent reduction of garden would also harm the setting of the listed building. The less than substantial harm identified is not outweighed by public benefit or securing the building's optimum viable use and the application is therefore contrary to Policies LB1 and LB2 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011 and the provisions of the National Planning Policy Framework.

**The End**